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DISTRICT OF NEVADA

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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| DANILLE D. CLINE,<br>Petitioner,<br>v.<br>UNITED STATES OF AMERICA, INTERNAL REVENUE SERVICE,<br>Respondents. | ) | No. CV-S-03-1354-RCJ-PAL<br><br>[PROPOSED] ORDER |

Before the Court are the United States' Motion to Dismiss Second Amended Petition to Quash as Moot and United States' Motion to Alter or Amend the Judgment Pursuant to Fed.R.Civ.P. 59(e). Having considered the United States' motions, reviewed the pleadings and papers on file in this matter and heard the oral arguments of the parties, and good cause appearing therefor, IT IS HEREBY ORDERED THAT:

1. The United States' Motion to Dismiss the Second Amended Petition to Quash as Moot is GRANTED;

2. The Second Amended Petition to Quash is dismissed on the ground that it is moot; and

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3. The United States' Motion to Alter or Amend the Judgment Pursuant to Fed.R.Civ.P. 59(e) is DENIED.

DATED this 6th day of July, 2004.

ROBERT C. JONES
UNITED STATES DISTRICT JUDGE

Presented by:

DANIEL G. BOGDEN
United States Attorney

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| DANILLE D. CLINE, Petitioner, v. UNITED STATES OF AMERICA, INTERNAL REVENUE SERVICE, Respondents. | No. CV-S-03-1354-RCJ-PAL<br><br>CERTIFICATE OF SERVICE |

IT IS HEREBY CERTIFIED that service of the [PROPOSED] ORDER has been made this 28th day of June, 2004, by depositing a true and correct copy thereof in the United States mail, postage prepaid, and addressed to:

Danille D. Cline
5680 Ruffian Road
Las Vegas, Nevada 89149

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